



State of Nebraska

NEBRASKA EQUAL OPPORTUNITY COMMISSION

NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF NOVEMBER 20, 2015

Commissioner Yates called the meeting to order in Omaha, Nebraska at 9:05 a.m. on November 20, 2015. It was established after a roll call that there was a quorum.

I. ROLL CALL

Commissioners Present

Kristin Yates, Chairperson
Rita Griess
Janet Palmtag

Michael Carpenter
Arnold Nesbitt
Royce Jeffries

Staff Present

Barbara Albers, Executive Director
Paula Gardner, Unit Director
Shelley Foss, Investigator III

Gretchen Eure, Unit Director
Cindy King, Staff Assistant

II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the November 20, 2015 Commission meeting.

II. APPROVAL OF MINUTES

Commissioner Yates moved to approve the October, 16, 2015 Commission meeting minutes.

Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Yates, Nesbitt, Jeffries, Carpenter, Griess
 Nayes:
 Abstained: Palmtag
 Motion Carried

MAIN OFFICE:

301 Centennial Mall, South ☐
PO Box 94934
Lincoln, NE 68509-4934
Phone: 402-471-2024
Fax: 402-471-4059
800-642-6112
www.NEOC.nebraska.gov

BRANCH OFFICES:

1313 Farnam-on-the-Mall ☐
Omaha, NE 68102-1836
Phone: 402-595-2028
Fax: 402-595-1205
800-382-7820

505A Broadway Suite 600 ☐
Scottsbluff, NE 69361-3515
Phone: 308-632-1340
Fax: 308-632-1341
800-830-8633

EOE

IV. ADDITIONS OR CORRECTIONS

Under Section VIII. SUCCESSFUL AGREEMENTS, please add NEB 2-15/16-8-3186-H and NEB 2-15/16-8-45788.

Under Section IX. ADMINISTRATIVE ACTIONS, please add B. COMPLAINANT FILING IN COURT, NEB 2-14/15-4-45639.

Under Section X. CONCILIATION, please add NEB 2-14/15-12-3089-H.

Under Section XII. PUBLIC HEARING, please add NEB 3-14/15-7-44974, Gumby, Jr. vs. US IOS/PCI, LLC.

V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this meeting.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

NEB 2-14/15-12-45195 (Complainant was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Carpenter, Palmtag, Yates, Nesbitt, Jeffries
 Nays:
 Abstained:
 Motion Carried

VII. CASE DISPOSITIONS (CONTINUED)

NEB 1-14/15-5-45941 (Complainant and Respondent were present.)

Commissioner Nesbitt moved for no reasonable cause.
Commissioner Palmtag seconded the motion.

ROLL CALL: Ayes: Nesbitt, Palmtag, Carpenter, Griess, Jeffries
 Nayes: Yates
 Abstained:
 Motion Carried

NEB 2-14/15-9-45110 (Complainant present.)

Commissioner Nesbitt moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Yates, Jeffries, Carpenter, Griess, Nesbitt, Palmtag
 Nayes:
 Abstained:
 Motion Carried

NEB 2-14/15-5-45672 (Complainant present.)

Commissioner Jeffries moved for no reasonable cause.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Carpenter, Yates, Palmtag, Nesbitt, Griess, Jeffries
 Nayes:
 Abstained:
 Motion Carried

NEB 2-14/15-3-45630 (Respondent present.)

Commissioner Griess moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Yates, Carpenter, Palmtag, Griess, Nesbitt, Jeffries
 Nayes:
 Abstained:
 Motion Carried

VII. CASE DISPOSITIONS (CONTINUED)

NEB 1-15/16-7-46981 (Respondent present.)

Commissioner Carpenter moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Jeffries, Nesbitt, Griess, Palmtag, Carpenter, Yates
 Nayes:
 Abstained:
 Motion Carried

NEB 3-14/15-4-45863 (Respondent present.)

Commissioner Jeffries moved for no reasonable cause.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Palmtag, Griess, Yates, Carpenter, Jeffries, Nesbitt
 Nayes:
 Abstained:
 Motion Carried

NEB 2-15/16-7-3181-H (Respondent present.)

Commissioner Carpenter moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Nesbitt, Palmtag, Yates, Jeffries, Carpenter, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 2-15/16-7-3180-H (Complainant present.)

Commissioner Carpenter moved for no reasonable cause.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Jeffries, Carpenter, Jeffries, Nesbitt
 Nayes:
 Abstained:
 Motion Carried

VII. CASE DISPOSITIONS (CONTINUED)

NEB 2-15/16-7-3177-H (Respondent present.)

Commissioner Carpenter moved for no reasonable cause.
Commissioner Griess seconded the motion.

ROLL CALL: Ayes: Jeffries, Nesbitt, Carpenter, Palmtag, Yates, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 1-15/16-9-3193-H (Respondent present.)

Commissioner Griess moved for no reasonable cause.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Yates, Griess, Jeffries, Nesbitt, Carpenter, Palmtag
 Nayes:
 Abstained:
 Motion Carried

NEB 2-14/15-4-3144-PA (Respondent present.)

Commissioner Nesbitt moved for no reasonable cause.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Nesbitt, Carpenter, Jeffries, Yates, Palmtag, Griess
 Nayes:
 Abstained:
 Motion Carried

NEB 2-14/15-6-3169-PA (Respondent present.)

Commissioner Nesbitt moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Griess, Nesbitt, Jeffries, Palmtag, Carpenter, Yates
 Nayes:
 Abstained:
 Motion Carried

VII. CASE DISPOSITIONS (CONTINUED)

NEB 2-14/15-2-45492 (A Respondent statement was read.)

Commissioner Carpenter moved for no reasonable cause.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Nesbitt, Palmtag, Carpenter, Yates, Griess, Jeffries
 Nayes:
 Abstained:
 Motion Carried

NEB 2-14/15-4-3143-PA
NEB 2-14/15-10-45147
NEB 1-15/16-7-47011
NEB 2-14/15-2-45475
NEB 3-14/15-12-45368
NEB 2-14/15-6-45709
NEB 2-14/15-6-3175-H
NEB 2-15/16-8-3188-H
NEB 2-14/15-6-45696
NEB 2-14/15-3-45611
NEB 1-15/16-7-47005
NEB 2-14/15-6-3166-H

Commissioner Yates moved for no reasonable cause on above cases.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Palmtag, Jeffries, Carpenter, Nesbitt, Griess, Yates
 Nayes:
 Abstained:
 Motion Carried

VIII. SUCCESSFUL AGREEMENTS

NEB 2-15/16-9-3194-H
NEB 2-15/16-8-3186-H
NEB 2-15/16-8-45788

Commissioner Yates moved to adopt the agreements.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Griess, Jeffries, Nesbitt, Yates, Carpenter, Palmtag
 Nayes:
 Abstained:
 Motion Carried

IX. ADMINISTRATIVE ACTIONS

A. EEOC

NEB 2-14/15-7-45040
NEB 2-14/15-9-45101
NEB 1-14/15-2-45610
NEB 3-14/15-7-44971
NEB 1-14/15-9-45306
NEB 2-13/14-6-44778

Commissioner Yates moved to adopt the findings of the EEOC.
Commissioner Nesbitt seconded the motion.

ROLL CALL: Ayes: Jeffries, Griess, Carpenter, Nesbitt, Palmtag, Yates
 Naves:
 Abstained:
 Motion Carried

B. COMPLAINANT FILING IN COURT

NEB 2-14/15-4-45639

Commissioner Yates moved to administratively dismiss the case.
Commissioner Jeffries seconded the motion.

ROLL CALL: Ayes: Yates, Carpenter, Nesbitt, Jeffries, Griess, Palmtag
 Naves:
 Abstained:
 Motion Carried

X. CONCILIATION

NEB 2-14/15-12-3089-H

Commissioner Yates moved to adopt the recommendations of the Director of Conciliations.
Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Palmtag, Carpenter, Jeffries, Griess, Yates, Nesbitt
 Naves:
 Abstained:
 Motion Carried

XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XII. PUBLIC HEARING

NEB 3-14/15-7-44974 Gumby, Jr. vs. US IOS/PCI, LLC

Commissioner Yates moved to adopt the Public Hearing order to dismiss the case due to settlement.

Commissioner Carpenter seconded the motion.

XIII. CIVIL ACTION

None at this time.

XIV. BUSINESS

1. Commission Meeting Dates and Locations for 2016.

Executive Director Albers called attention to the calendar provided to the Commissioners of the 2016 Commission meetings dates and locations pointing out that the meetings are generally the 3rd Friday of each month. Executive Director Albers informed the Commissioners that the Omaha and Lincoln offices will hold holiday staff meetings in December at each office for which the Commissioners are welcome to attend.

2. Freedom Fund Breakfast, January 15, 2016, Embassy Suites, Lincoln, Nebraska

Executive Director Albers inquired who would be attending the breakfast with NEOC. Doors open at 7:00 AM. Executive Director Albers said the Commission meeting that day could start a half hour later, at 9:30. Commissioner Griess said she would be attending, but not with NEOC. Commissioners Palmtag, Carpenter, and Jeffries said they would attend with NEOC.

3. Previous Month's Budget Reports

Commissioner Nesbitt moved to approve and accept the previous month's budget reports. Commissioner Carpenter seconded the motion.

ROLL CALL: Ayes: Griess, Palmtag, Jeffries, Nesbitt, Yates, Carpenter
 Nays:
 Abstained:
 Motion Carried

XV. ADJOURNMENT

Commissioner Yates declared the November 20, 2015 Commission meeting ended at 12:30 PM.

Respectfully submitted,



Cindy King
Staff Assistant

12/7/2015
Date



Barbara Albers
Executive Director

12/9/15
Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of November 20, 2015 have been corrected and accepted, and henceforth approved on this date.


Chairperson

18 December 2015
Date